

SEP 11 2008

**FAX COVER PAGE**

DATE: September 11, 2008

PAGES INCLUDING THIS PAGE: 26

TO: Examiner Anuradha Ramana, Group Art Unit 3733
COMPANY: U.S. Patent and Trademark OfficeFAX NUMBER: 571-273-8300
PHONE NUMBER:

FROM: Douglas A. Collier

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RE: Response to Office Action for U.S. Patent Application No. 10/603,471 to Larry Gause et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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Client Matter No.: 333 MSDI-259

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SEP 11 2008

PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

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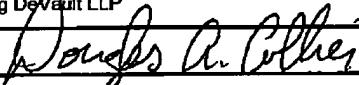
Total Number of Pages In This Submission

| | |
|------------------------|--------------------|
| Application Number | 10/603,471 |
| Filing Date | June 25, 2003 |
| First Named Inventor | Larry Gause et al. |
| Art Unit | 3733 |
| Examiner Name | Anuradha Ramana |
| Attorney Docket Number | MSDI-259/PC757.00 |

ENCLOSURES (Check all that apply)

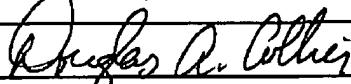
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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Krieg Devault LLP | | |
| Signature |  | | |
| Printed name | Douglas A. Collier | | |
| Date | September 11, 2008 | Reg. No. | 43,556 |

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SEP 11 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------------|---|----------------------|
| In re patent application of: |) | Before the Examiner: |
| Larry Gause et al. |) | Anuradha Ramana |
| Application Serial No. 10/603,471 |) | Group Art Unit: 3733 |
| Filed: June 25, 2003 |) | Attorney Ref. No.: |
| SYSTEM FOR STABILIZING A PORTION |) | MSDI-259/PC757.00 |
| OF THE SPINE |) | September 11, 2008 |

RESPONSE TO NON-FINAL OFFICE ACTION

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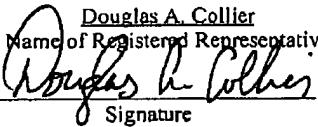
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In response to the Non-final Office Action dated June 11, 2008, please enter the following remarks. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time necessary and charge any fees which may be due, or credit any overpayment, to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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September 11, 2008

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September 11, 2008

Date of Signature

Response to Non-Final Office Action
 Application Serial No. 10/603,471
 Atty Docket No. MSDI-259/PC757.00
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